

AN ACT

relating to an alternative method of satisfying certain licensing requirements for chemical dependency treatment facilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (b), Section 464.005, Health and Safety Code, is amended to read as follows:

(b) The Department of State Health Services ~~[commission]~~ may require an inspection before renewing a license, unless the applicant submits an accreditation review from the Commission on Accreditation of Rehabilitation Facilities, the Joint Commission, or another national accreditation organization recognized by the department in accordance with Section 464.0055.

SECTION 2. Subchapter A, Chapter 464, Health and Safety Code, is amended by adding Section 464.0055 to read as follows:

Sec. 464.0055. ACCREDITATION REVIEW TO SATISFY INSPECTION REQUIREMENTS. (a) In this section:

(1) "Accreditation commission" means the Commission on Accreditation of Rehabilitation Facilities, the Joint Commission, or another national accreditation organization recognized by the Department of State Health Services.

(2) "Department" means the Department of State Health Services.

(b) The department shall accept an accreditation review from an accreditation commission for a treatment facility instead

1 of an inspection by the department for renewal of a license under  
2 Section 464.005, but only if:

3 (1) the treatment facility is accredited by the  
4 Commission on Accreditation of Rehabilitation Facilities, the  
5 Joint Commission, or another national accreditation organization  
6 recognized by the department;

7 (2) the accreditation commission maintains and  
8 updates an inspection or review program that, for each treatment  
9 facility, meets the department's applicable minimum standards;

10 (3) the accreditation commission conducts a regular  
11 on-site inspection or review of the treatment facility according to  
12 the accreditation commission's guidelines; and

13 (4) the treatment facility submits to the department a  
14 copy of its most recent accreditation review from the accreditation  
15 commission in addition to the application, fee, and any report or  
16 other document required for renewal of a license.

17 (c) This section does not limit the department in performing  
18 any duties, investigations, or inspections authorized by this  
19 chapter, including authority to take appropriate action relating to  
20 a treatment facility, such as closing the treatment facility.

21 (d) This section does not require a treatment facility to  
22 obtain accreditation from an accreditation commission.

23 SECTION 3. Section 464.005, Health and Safety Code, as  
24 amended by this Act, and Section 464.0055, Health and Safety Code,  
25 as added by this Act, apply only to the renewal of a license to  
26 operate a chemical dependency treatment facility that expires on or  
27 after the effective date of this Act. A license that expires before

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1 that date is governed by the law in effect on the date the license  
2 expires, and the former law is continued in effect for that purpose.

3 SECTION 4. This Act takes effect September 1, 2011.\_\_\_\_\_

David Dewhurst  
President of the Senate

Joe Straus  
Speaker of the House

I hereby certify that S.B. No. 1449 passed the Senate on May 10, 2011, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 27, 2011, by the following vote: Yeas 31, Nays 0.\_\_\_\_\_

Atsuy Gou  
Secretary of the Senate

I hereby certify that S.B. No. 1449 passed the House, with amendment, on May 23, 2011, by the following vote: Yeas 142, Nays 0, one present not voting.\_\_\_\_\_

Robert Haney  
Chief Clerk of the House

Approved:  
17 JUN '11  
Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
4 PM O'CLOCK

JUN 17 2011  
Boyd R. Davis  
Secretary of State